IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

WP(C).No. 747 of 2004(L)

CP.46/1989 OF LABOUR COURT, KOLLAM.
.....

PETITIONER:

THE DIVISIONAL RAILWAY MANAGER,
SOUTHERN RAILWAY, TRIVANDRUM.

BY ADV. SRI.N.ANIL KUMAR, SC, RAILWAYS,
SMT.M.R.SREELETHA, SC, RAILWAYS.

RESPONDENTS:
----

1. **M.U. KURIAKOSE, MUZHUTHURUTHEL VEEDU,**
   ITHITHANAS, MALAKUNNAM P.O.,
   CHANGANASSERRY.

2. **THE CENTRAL LABOUR COURT,**
   KOLLAM.

BY ADV. SRI.T.C.GOVINDA SWAMY,
ADV. SMT.D.HEERA,
ADV. SMT.SUMY.P.BABY.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.747/2004-L:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER OF THE CENTRAL GOVT. LABOUR COURT, KOLLAM IN C.P. NO. 46/89 DTD. 24/09/2002.

EXT.P.2: COPY OF THE WRITTEN OBJECTION FILED IN C.P. NO. 46/89.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.747 OF 2004

Dated this the 6th day of November, 2007

JUDGMENT

The petitioner Southern Railway challenges Ext.P1 order of the Labour Court issued under Section 33 (c) 2 of the Industrial Disputes act, 1947. By that order, the first respondent has been granted an amount of Rs.8.965/- with 6% interest from 25.7.1989 till the date of payment. No jurisdictional error or legal infirmity is pointed out as regards the impugned order. The plea that the Labour Court did not advert to the materials on record does not stand. A perusal of Ext.P1 order would show that all the facts and factors, including the relevant decisions have been taken note of. The findings of the Labour Court on the basis of the materials on record, which includes details as regards the date of temporary status, is beyond challenge.

For the aforesaid reasons, the writ petition fails. The same is accordingly dismissed. No costs.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.